

2005 DRAFTING REQUEST

Senate Amendment (SA-SB618)

Received: **03/01/2006**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Tim Carpenter (608) 266-8535**

By/Representing: **Stuart Ewy**

This file may be shown to any legislator: **NO**

Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Education - MPS**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Carpenter@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Referendum in Milwaukee regarding MPCP

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

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FE Sent For:

<END>

Grant, Peter

From: Ewy, Stuart
Sent: Wednesday, March 01, 2006 11:11 AM
To: LRB.Legal; Grant, Peter
Cc: Sen.Carpenter
Subject: Message for Peter Grant

Peter Grant

Hi Peter-

Regarding SB 618 regarding changes to the voucher program, we hear that the bill may come up for a vote on Thursday. Looks like a compromise will not be reached prior to then to protect MKE property taxpayers, so Tim would like to go ahead with the following amendments drafted so that he can offer them on the floor.

- 1) Require a separate line on Milwaukee Property tax bill, starting in 2006, showing proportion of taxes going to MPS, and those going to pay for Vouchers Schools
- 2) Voucher Schools get paid only audited actual costs to educate the student -- not flat rate of \$6,500 per pupil, but \$6500 would be the max. Costs would be audited to make sure costs are going for legitimate educational needs, not principal's new Mercedes Benz automobiles, etc
- 3) It is expected that not all the 7500 new student slots would be filled in the first year (rather like 2200 new students, I think). Tim would like a referendum in the City of Milwaukee on November 2006 ballot that asks something like: "Currently, Milwaukee Property Taxpayers are paying approximately \$1,000 per each student enrolled in the Milwaukee Parental Choice Program. After the 2006 year should any more students than are currently enrolled be enrolled in the program -- should this cost be paid by the state instead of Milwaukee property taxpayers?" Tim would like to make this referendum not advisory, but binding upon the state. Can this be done?
- 4) Expand the voucher program statewide to school districts in all areas currently represented by GOP Senators. Each district would allow 7500 students in the program.
- 5) Sunset the cap increase in 2007 if the state does not pay Milwaukee's property tax costs for this program.

Can you draft these?

Thank you!

G. Stuart Ewy
Office of Sen. Tim Carpenter
608.266.8535

Grant, Peter

From: Ewy, Stuart
Sent: Wednesday, March 01, 2006 12:50 PM
To: Grant, Peter
Cc: Sen.Carpenter
Subject: RE: Message for Peter Grant

Hi Peter

Here are the answers.

I can do item 1.

Thank you

In item 2, currently the costs are determined by DPI. Do you want them audited as well? If so, does each private school choose an independent auditor?

Yes, all audited. Some schools are making a profit, and that is not what Tim believes the intent of this program. Audit by the Audit Bureau, no choosing of auditor by the school.

Regarding item 3, I'm not sure that it is constitutional to make a law contingent upon the passage of a referendum in one city, even if the law applies only in that city.

Do your best!

Also, do you mean that after 2006-07, the cap is not increased above the number of students attending in 2006-07 unless the state pays the costs?

Yes. In a sense, the cap collapses to the number of current enrollees, unless the state pays the costs of any student over that new "cap."

Please also see my question regarding item 5, below.

Okay.

Item 4 is most likely unconstitutional as a private or local law. It also raises equal protection issues. And there are a number of practical issues. For example, many (most?) school districts straddle senate district lines.. Which senate district do they belong to? What happens if a Republican senator loses an election? Does the program immediately cease?

Point taken. Expand the program to all schools in Senate Districts 8, 33, 28, 21, with a cap of 7500.

In item 5, do you mean the increase in the cap is applicable in 2006-07, but not in any subsequent school year unless the state pays the city's property tax costs for that year? So the program could alternately sunset and then revive?

Yes, it could revive if and only if the state government pays the portion that the MKE property taxpayers would have to pay.

Cheers,

s

From: Grant, Peter
Sent: Wednesday, March 01, 2006 11:53 AM
To: Ewy, Stuart
Subject: RE: Message for Peter Grant

2005

Date (time)
needed

TODAY

LRBa 2584, 1

PK: jld:

AMENDMENT

See form AMENDMENTS — COMPONENTS & ITEMS.

S A AMENDMENT

TO S A AMENDMENT (LRBa 1),

TO S A SUBSTITUTE AMENDMENT (LRBs 1),

TO 2005 SB SJR SR AB AJR AR 618 (LRB- 1)

At the locations indicated, amend the bill as follows:

(fill ONLY if "engrossed" or "as shown by")

#. Page ...1..., line ...5.: after "Program" insert NO
"and making an appropriation" A

#. Page ...3..., line ...1.: before that line insert:

#. Page, line

#. Page, line

#. Page, line

the department of
public instruction

" SEC. 19. CR. 20.255 (2) (f) ^X ^X

20.255

20.255(2)(f) ^X

(B)

Milwaukee Parental

reimbursement

choice program; property tax. A sum

sufficient to reimburse the city of
Milwaukee for the property tax costs

attributable to the Milwaukee Parental

choice program. This paragraph applies only
if the number of pupils attending private

under s. 119.23, as determined by

SECTION
"also" for

Page 3 line 1: substitute "also" for
SECTION "also" for

schools under that program is greater

than the number doing so in

the 2006-07 school year, as determined
by the department of public instruction."

Page 7, line 11: after that line insert:

nonstat " (2)^m There shall be submitted ^{to} to the vote of the electors of the city of Milwaukee at the general election ^{to} to be held in November 2006 the following question:

" Currently, ^{property} taxpayers in the city of Milwaukee pay approximately \$1,000 annually for each pupil attending a private school under the Milwaukee Parental Choice ^PProgram. Shall section 19 of 2005 Wisconsin Act

(this act), which requires the State of Wisconsin to reimburse the city of Milwaukee for the property tax costs attributable to the Milwaukee Parental Choice ^{if} Program if the number of pupils enrolled in the program exceeds the number enrolled in the 2005-07 school

year, become effective?" If the
question is ^{approved} approved by a majority of
all votes cast on the question at the
election, ^(CS) section 1g of this act shall
become law; otherwise that section
shall ^{not} ^{effect} take effect."

(Encl)